

## Barnes, Iaccarino, Virginia, Ambinder &amp; Shepherd, PLLC

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August 4, 2008

VIA FACSIMILE (914) 390-4152

Honorable Judge Kenneth M. Karas  
United States District Judge  
Southern District of New York  
United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601

**MEMO ENDORSED**

Re: Trustees of District Council 9 et. al. v. New Decorative Art Studio, Inc.  
Index No.: 08-CIV-3973 (KMK)

Dear Honorable Judge Karas:

This office represents the plaintiffs in the above matter. This letter makes reference to the return date on our order to show cause for default judgment scheduled for Wednesday August 6, 2008 at 12:15 p.m.

This matter involves the enforcement of a Collective Bargaining Agreement, more specifically, the collection of contributions found due and owing pursuant to an audit. The Defendant has contacted our office and advised us that they sent payment in full via mail to our office. Upon receipt of the payment we will file a voluntary notice of discontinuance with the Court.

If we do not receive payment we wish to continue with our default judgment proceedings.

Accordingly, we respectfully request an adjournment of the court date to a date that is mutually convenient with the Court. No prior requests for an adjournment have been made. A copy of this letter is simultaneously being sent to the defendant.

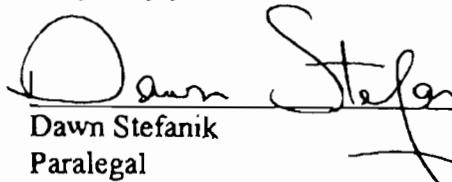
Kindly advise this office of the court's decision regarding our request.

Thank you for your assistance and courtesies.

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cc: New Decorative Art Studio, Inc.

Very truly yours,

  
Dawn Stefanik  
Paralegal

The matter is adjourned  
until September 10, 2008,  
at 3:00

SO ORDERED

KENNETH M. KARAS U.S.D.J.

8/4/08

TOTAL P.01